

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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| KCG HOLDINGS, INC., and KCG AMERICAS LLC, | : | |
| | : | 1:17-cv-03533 (AJN) (GWG) |
| Plaintiffs, | : | |
| | : | <u>DEFENDANT'S NOTICE OF</u> |
| -against- | : | <u>MOTION FOR A STAY</u> |
| | : | |
| ROHIT KHANDEKAR, | : | |
| | : | |
| Defendant. | : | |
| ----- | X | |

PLEASE TAKE NOTICE that, upon the annexed Declaration of Harry W. Lipman, Esq., dated October 10, 2017, the exhibits attached thereto, the annexed Declaration of Rohit Khandekar, dated October 10, 2017, and the accompanying memorandum of law, and all prior pleadings and proceedings had herein, the undersigned, attorneys for defendant Rohit Khandekar, will move this Court at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, in Courtroom 906, at a time to be determined by the Court, for an Order, pursuant to Section 3 of the Federal Arbitration Act, 9 U.S.C. § 3, granting a stay of this action to allow the questions of fact at issue in this case to be determined in arbitration, and for such other and further relief as the Court deems just and proper.

Pursuant to the parties' agreement on the record during the conference before the Court on October 6, 2017, Plaintiffs shall serve their opposition by October 17, 2017, and Defendants shall serve their reply briefs, if any, within five (5) business days thereafter.

Dated: New York, New York
October 10, 2017

ROTTENBERG LIPMAN RICH, P.C.

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